

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT
BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, THE PUERTO
RICO SALES TAX FINANCING CORPORATION, THE
PUERTO RICO HIGHWAYS AND TRANSPORTATION
AUTHORITY, THE EMPLOYEES RETIREMENT SYSTEM
OF THE GOVERNMENT OF THE COMMONWEALTH OF
PUERTO RICO, THE PUERTO RICO ELECTRIC POWER
AUTHORITY, AND THE PUERTO RICO PUBLIC
BUILDINGS AUTHORITY,

Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

Re: ECF No. 20832, 22340

**URGENT UNOPPOSED MOTION SEEKING ENTRY OF AN ORDER
EXTENDING TIME TO FILE SUPPLEMENTAL VERIFIED STATEMENT
PURSUANT TO THE PUERTO RICO RECOVERY ACCURACY IN DISCLOSURES ACT**

To the Honorable United States District Court Judge Laura Taylor Swain:

McKinsey & Company Puerto Rico Consulting, Inc. (“McKinsey”) respectfully submits this motion (the “Motion”) for entry of an order, substantially in the form attached hereto as **Exhibit A**, extending to October 28, 2022, any applicable time for McKinsey to file a

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

supplemental verified statement of connections under the Puerto Rico Recovery Accuracy in Disclosures Act of 2021. Pub. L. No. 117-82 (“PRRADA”). In support of this Motion, McKinsey respectfully represents as follows:

Background

1. PRRADA was signed into law on January 20, 2022, and generally imposes the Rule 2014 disclosure requirements of the Federal Rules of Bankruptcy Procedure that apply to professionals retained under sections 327 and 1103 of the Bankruptcy Code.

2. On April 12, 2022, the Court entered its Third Amended Order Setting Procedures for Interim and Final Compensation and Reimbursement of Expenses of Professionals (“Third Amended Order”) [ECF No. 20546]. The Third Amended Order, among other things, set a May 16, 2022, deadline for professionals to file PRRADA disclosures (Third Amended Order, ¶ 4.d.). That Order also required the United States Trustee to review and comment informally on or object to any professional’s PRRADA disclosures by June 30, 2022, or such deadline as the Court may order. (Third Amended Order, ¶ 4 e.i.).

3. On May 16, 2022, McKinsey timely filed the *Declaration of Dmitry Krivin, a Partner of McKinsey & Company, Inc. United States, Disclosing Connections to Material Interested Parties in Connection with the Puerto Rico Recovery Accuracy in Disclosures Act* (the “Krivin Declaration”) [ECF No. 20832].

4. On August 15, 2022, the United States Trustee filed a status report regarding professionals’ PRRADA disclosures. *See United States Trustees Comment and Related Status Report on the Verified Statements of Connections Filed by Professionals Under the Puerto Rico Recovery Accuracy in Disclosures Act* [ECF No. 21840]. As noted in the status report, “the United States Trustee conferred with and requested supplemental information from 36

professionals,” including McKinsey. The United States Trustee also noted that it was awaiting submissions of supplemental disclosures from certain professionals, identified McKinsey as one such professional, and indicated that it “will file an updated Comment and Status Report with the Court as to these professionals as necessary.” *Id.*

5. On September 15, 2022, McKinsey filed a status report with the Court regarding the status of its supplemental disclosures and the ongoing discussions with the United States Trustee. [ECF No. 22233].

6. On September 16, 2022, the Court entered an order extending to October 14, 2022, McKinsey’s deadline to file a supplement to the Krivin Declaration, without prejudice to the right of McKinsey to request further extensions of time. [ECF No. 22340].

RELIEF REQUESTED

7. As previously disclosed, McKinsey has been working diligently to supplement the Krivin Declaration in response to the United States Trustee’s comments and McKinsey has provided supplemental information to the United States Trustee. However, the parties would benefit from additional time for McKinsey to ensure that its supplemental disclosures fully address any outstanding questions or follow-up requests from the United States Trustee. Accordingly, McKinsey is requesting an additional 14 days, through October 28, 2022, to file its supplemental disclosures in order to continue these efforts.

8. The Office of the United States Trustee has indicated that it does not object to a 14-day extension, provided that after McKinsey files a supplement to the Krivin Declaration on the docket, the United States Trustee will have 30 days to further review the supplemental disclosures.

[Remainder of page left intentionally blank]

WHEREFORE McKinsey respectfully requests the Court to enter the Proposed Order attached hereto as **Exhibit A**, granting the relief requested herein and all other relief that is just and proper.

WE HEREBY CERTIFY that on this date, we electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all attorneys or record.

RESPECTFULLY SUBMITTED.

Dated: October 13, 2022
San Juan, PR

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